



**AGENDA**  
**HUNTINGTON BEACH OFFICE OF THE ZONING ADMINISTRATOR**  
**Room B-8 – Lower Level - Civic Center**  
**2000 Main Street**  
**Huntington Beach California**

**WEDNESDAY, JUNE 28, 2006, 1:30 P.M.**

**ZONING ADMINISTRATOR:** Mary Beth Broeren

**STAFF MEMBERS:** Rami Talleh, Jennifer Villasenor, Paul Da Veiga, Ron Santos, Ramona Kohlmann

**MINUTES:** April 19, 2006  
May 31, 2006  
June 7, 2006

**CONTINUED FROM THE JUNE 21, 2006 MEETING**

**ORAL COMMUNICATION:** Anyone wishing to speak on an item not on the agenda may do so. No action can be taken by the Zoning Administrator on items not on the agenda.

**SCHEDULED ITEMS:**

**1. PETITION DOCUMENT: CONDITIONAL USE PERMIT NO. 2006-019 (TOYOTA TEMPORARY STORAGE LOT)**

**APPLICANT:** Bob Miller  
**REQUEST:** To permit a temporary parking lot for the storage of new cars on an unimproved lot with a 6 ft. high chain-link fence located at the perimeter of the site for a period of two and a half years  
**LOCATION:** 19070 Holly Street (bounded by Holly Street, Main Street and Garfield Avenue)  
**PROJECT PLANNER:** Rami Talleh  
**STAFF RECOMMENDS:** Approval based upon suggested findings and conditions of approval

**2. PETITION DOCUMENT: VARIANCE NO. 2006-003 (HILGEN RESIDENCE)**

**APPLICANT:** Louie Hernandez  
**REQUEST:** **a)** to permit the construction of a single-family dwelling with a 2.5-ft. side yard setback for the dwelling and a 0.5-ft. side yard setback for the detached garage in lieu of the required 3-ft. side yard setback on the east property line adjacent to an alley; and **(b)** to permit a 15.5 ft. width for the front portion of the dwelling in lieu of the required 17 ft.; and **(c)** to permit a 22.5-ft. lot width after required dedication for alley widening in lieu of the required 25 ft. minimum.  
**LOCATION:** 222 Lincoln Avenue (south side of Lincoln Avenue between Alabama and Huntington Streets)  
**PROJECT PLANNER:** Jennifer Villasenor  
**STAFF RECOMMENDS:** Approval based upon suggested findings and conditions of approval

**AGENDA  
(Continued)**

- 3. PETITION DOCUMENT:**      **CONDITIONAL USE PERMIT NO. 2006-008 (FLISTER WOOD FENCE)**
- APPLICANT:                      Mike Flister
- REQUEST:                        To permit a 6 ft. high wood fence at zero setback in lieu of 15 ft. within the front yard setback.
- LOCATION:                        2623 England Street (terminus of England Street, north of Yorktown Avenue)
- PROJECT PLANNER:            Paul Da Veiga
- STAFF RECOMMENDS:        Approval based upon suggested findings and conditions of approval
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- 4. PETITION DOCUMENT:**      **CONDITIONAL USE PERMIT NO. 2005-023 (SIMON WOOD FENCE)**
- APPLICANT:                      Chad Geibe
- REQUEST:                        To permit a 6 ft. high wood fence at zero setback in lieu of 15 ft. within the front yard setback.
- LOCATION:                        2624 England Street (terminus of England Street, north of Yorktown Avenue)
- PROJECT PLANNER:            Paul Da Veiga
- STAFF RECOMMENDS:        Approval based upon suggested findings and conditions of approval
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- 5. PETITION DOCUMENT:**      **TENTATIVE PARCEL MAP NO. 2006-125 (TRAN SUBDIVISION)**
- APPLICANT:                      Dai Quang Tran
- REQUEST:                        To permit the consolidation of three parcels into two lots with each measuring 27 ft. in width and approximately 3,105 sq. ft. in area.
- LOCATION:                        310 2<sup>nd</sup> Street (east side of 2<sup>nd</sup> Street, north of Olive Avenue)
- PROJECT PLANNER:            Paul Da Veiga
- STAFF RECOMMENDS:        Approval based upon suggested findings and conditions of approval

**AGENDA  
(Continued)**

- 6. PETITION DOCUMENT:** **COASTAL DEVELOPMENT PERMIT NO. 2006-009 /  
VARIANCE NO. 2006-006 / SPECIAL PERMIT NO. 2006-001  
(CAMPBELL/REED RESIDENCE)**
- APPLICANT: Robert Reed
- REQUEST: **CDP:** To permit construction of a 2,349 sq. ft., three-story single-family dwelling with a 419 sq. ft. attached garage; **VAR:** to permit a 22.5-ft. lot width after required dedication for alley widening, in lieu of the required 25-ft. minimum width; **SP:** to permit a zero side yard setback, in lieu of three ft., for an attached garage. This request includes a review and analysis for compliance with the Infill Lot Ordinance. The Infill Lot Ordinance encourages adjacent property owners to review proposed development for compatibility/privacy issues, such as window alignments, building pad height, and floor plan layout.
- LOCATION: 111 Seventh Street (north side of 7th Street, between Pacific Coast Highway and Walnut Avenue)
- PROJECT PLANNER: Ron Santos
- STAFF RECOMMENDS: Approval based upon suggested findings and conditions of approval

***Under the provisions of the Huntington Beach Zoning and Subdivision Ordinance, the action taken by the Zoning Administrator is final unless an appeal is filed to the Planning Commission by you or by an interested party. Said appeal must be in writing and must set forth in detail the action and grounds by which the applicant or interested party deems himself aggrieved. Said appeal must be accompanied by a filing fee of One Thousand Two Hundred Eighty Seven Dollars (\$1287.00) if the appeal is filed by a single family dwelling property owner appealing the decision on his own property and One Thousand Five Hundred Sixty Nine Dollars (\$1569.00) if the appeal is filed by any other party. The appeal shall be submitted to the Secretary of the Planning Commission within ten (10) calendar days of the date of the Zoning Administrator's action or ten (10) working days for a coastal development permit.***

**HUNTINGTON BEACH  
OFFICE OF THE ZONING ADMINISTRATOR  
EXECUTIVE SUMMARY**

**TO:** Zoning Administrator  
**FROM:** Rami Talleh, Associate Planner  
**DATE:** June 28, 2006

**SUBJECT:** **CONDITIONAL USE PERMIT NO. 2006-019 (TOYOTA TEMPORARY STORAGE LOT)**

**LOCATION:** 19070 Holly Street (bounded by Holly Street, Main Street and Garfield Avenue)

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**Applicant:** Bob Miller, Toyota of Huntington Beach, 18881 Beach Boulevard, Huntington Beach, CA 92648

**Property Owner:** Mountain View Properties, 18851 Stewart Street, Huntington Beach, CA 92648

**Request:** To permit a temporary parking lot for the storage of new cars on an unimproved lot with a 6 ft. high chain-link fence located at the perimeter of the site for a period of two and a half years.

**Environmental Status:** This request is covered by Categorical Exemption, Section 15304, Class 4, California Environmental Quality Act.

**Zone:** SP9 (Holly Seacliff Specific Plan)CN-F1 (Neighborhood Commercial – 0.35 Permitted Density)  
**General Plan:**

**Existing Use:** Undeveloped Land

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**RECOMMENDATION:** Staff recommends approval of the proposed project based upon the following findings:

**SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:**

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15304 of the CEQA Guidelines. The temporary parking lot is proposed for a period of up to 2 and one half years and does not consist of alterations in the

condition of land and does not involve the removal of healthy, mature scenic trees. No grading or excavation is proposed. Furthermore, there are no sensitive resources that will be removed or impacted.

#### **SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 2006-019**

1. Conditional Use Permit No. 2006-019 for a temporary parking lot for the storage of new cars on an unimproved lot with a 6 ft. high chain-link fence located at the perimeter of the site for a period of two and a half years will not be detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood. Main St., Garfield Ave., and Holly St. bound the proposed temporary parking lot and provide an adequate buffer for the adjacent residential uses. The site will be accessed off of Holly St, a local street; thus, vehicles entering and exiting the site will not obstruct vehicular traffic on Garfield Ave. and Main St. The proposed use will not generate noise, traffic, light or other impacts at levels inconsistent with the commercial zoning applicable to the subject property and surrounding residential areas.
2. The conditional use permit will be compatible with surrounding uses because the temporary parking lot is a short-term use on an undeveloped parcel of land where no physical alterations to the existing conditions of the site are proposed. Other parking facilities can be found on surrounding properties. The lot shall be for parking/storage purposes only with no truck deliveries, customer pick-up, or vehicle repair, sales, washing or other uses incompatible with the surrounding residential neighborhood.
3. The proposed Conditional Use Permit No. 2006-19 will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) and the Holly-Seacliff Specific Plan. The proposed temporary parking lot complies with the applicable development standards such as paving surface, boundary fencing, and aisle widths. The HBZSO authorizes the establishment of temporary parking lots with approval of a conditional use permit for period of up to five years.
4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of CN-F1 (Neighborhood Commercial – 0.35 maximum Floor Area Ratio) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

LU 10.1            Provide for the continuation of existing and the development of a diversity of retail and service commercial uses that are oriented to the needs of local residences, serve the surrounding region, serve visitors to the City, and capitalize on Huntington Beach's recreational resources.

ED 1.1.1:        Maintain and expand economic and business development programs that encourage and stimulate business opportunities within the City.

ED 2.4.3:        Encourage the expansion of the range of goods and services provided in Huntington Beach to accommodate the needs of all residents in Huntington Beach and the market area.

The proposed interim parking lot will facilitate the expansion and reconstruction of an existing new car dealer located on Beach Blvd. by providing for a short-term storage area of

vehicle inventory during construction. The proposed use will allow the car dealer to remain open to the public during construction.

**SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 2006-019:**

1. The site plan received and dated June 7, 2006, shall be the conceptually approved design.
2. Only the uses described in the narrative received and dated May 17, 2006, shall be approved.
3. If the use remains for a period of more than two and one half years from the date of this approval, a minimum three-foot wide landscaped planter shall be provided around the perimeter of the site.
4. The temporary parking lot shall comply with all Public Works and Fire Department requirements within 90 days after approval of this conditional use permit. **(PW/FD)**

**INDEMNIFICATION AND HOLD HARMLESS CONDITION:**

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof

**HUNTINGTON BEACH  
OFFICE OF THE ZONING ADMINISTRATOR  
EXECUTIVE SUMMARY**

**TO:** Zoning Administrator  
**FROM:** Jennifer Villasenor, Associate Planner  
**DATE:** June 28, 2006

**SUBJECT: VARIANCE NO. 2006-003 (HILGEN RESIDENCE)**

**LOCATION:** 222 Lincoln Avenue (south side of Lincoln Avenue between Alabama and Huntington Streets)

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**Applicant:** Louie Hernandez, 19092 Callaway Circle, Huntington Beach, CA 92648

**Property Owner:** Terry Hilgen, 28072 Camino La Ronda, San Juan Capistrano, CA 92675

**Request:** **a)** to permit the construction of a single-family dwelling with a 2.5-ft. side yard setback for the dwelling and a 0.5-ft. side yard setback for the detached garage in lieu of the required 3-ft. side yard setback on the east property line adjacent to an alley; and **(b)** to permit a 15.5 ft. width for the front portion of the dwelling in lieu of the required 17 ft.; and **(c)** to permit a 22.5-ft. lot width after required dedication for alley widening in lieu of the required 25 ft. minimum

**Environmental Status:** This request is covered by Categorical Exemption, Section 15305, Class 5, California Environmental Quality Act.

**Zone:**  
RMH-A (Medium High Density Residential-Small Lot Subdistrict)

**General Plan:**  
RMH-25-d (Residential Medium High Density - Small Lot)

**Existing Use:**  
Multi-Family Residential

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**RECOMMENDATION:** Staff recommends approval of the proposed project based upon the following findings:

**SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:**

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15305 of the CEQA Guidelines, because the project consists of a

variance in an area with an average slope of less than 20% and does not result in any changes in land use or density.

**SUGGESTED FINDINGS FOR APPROVAL - VARIANCE NO. 2006-003:**

1. The granting of Variance No. 2006-003 for the construction of a single-family dwelling with a 2.5-ft. side yard setback for the dwelling and a 0.5-ft. side yard setback for the detached garage in lieu of the required 3-ft. side yard setback on the east property line adjacent to an alley, and a 22.5-ft. lot width after required dedication for alley widening in lieu of the required 25 ft. minimum will not constitute a grant of special privilege inconsistent with limitations upon other properties in the vicinity and under an identical zone classification.

The requested variance will provide for construction of one single-family dwelling on a 2812.5 square foot lot (after required dedications for alley widening). The proposed development is consistent with the development density standard applicable to the subject property (one dwelling unit per 2,500 square feet of lot area). Moreover, the subject property, which complies with the minimum lot width and side yard setback standards before required dedication for public alley widening purposes, is made substandard in width and side yard setback only as a result of the required dedication.

2. Because of special circumstances applicable to the subject property, including size, shape, location and surroundings, the strict application of the zoning ordinance is found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification. The subject property is required to provide alley dedications on two sides. The effect of the required dedication is a reduction in the lot width to less than the minimum required in the RMH-A zoning district. Strict application of the zoning ordinance would render the subject property undevelopable after required dedications; thus depriving the subject property of development rights enjoyed by identically zoned properties in the vicinity.
3. The granting of a variance is necessary to preserve the enjoyment of one or more substantial property rights. Based on the applicable zoning and General Plan designation, and the existing lot size and dimensions, the subject property is afforded the right to construct one single-family dwelling. The exercise of this substantial property right is contingent upon dedication for public alley purposes, which renders the lot width substandard. Consequently, the requested variance to allow construction of a single family dwelling with less than the required side yard setback on a property with a substandard lot width is necessary to preserve the development rights afforded by the corresponding residential land use designation.
4. The granting of the variance will not be materially detrimental to the public welfare or injurious to property in the same zone classification. The requested variance will not result in any intensification of development impacts beyond that which is permitted under the corresponding land use regulations and development standards based on the existing (pre-dedication) lot size and width.
5. The granting of the variance will not adversely affect the General Plan. The proposed project of one dwelling unit on a 2,812.5 square foot lot (after required dedications) is consistent with the Land Use Element designation of RMH-25-d (Residential Medium High Density – 25 units/acre – design overlay) on the subject property. In addition, the proposed project is consistent with the following General Plan policy:



LU 9.1.1 Accommodate the development of single- and multi-family residential units in areas designated by the Land Use Plan Map, as stipulated by the Land Use and Density Schedules in the General Plan Land Use Element.

**SUGGESTED CONDITIONS OF APPROVAL VARIANCE NO. 2006-003:**

1. The site plan, floor plans, and elevations received and dated April 18, 2006 shall be the conceptually approved design with the following modifications:
  - a. The applicant shall revise the floor plan to meet the 17 feet minimum required for the width of the dwelling unit.
2. Prior to issuance of grading permits, the following shall be completed:
  - a. The design of the proposed dwelling and garage shall be distinguished from the design of the adjacent proposed dwelling at 220 Lincoln Avenue by incorporation of the following design modifications: a stone (or other approved/distinct exterior finish) wainscot, or other similar accent treatment shall be applied to the front elevation. In addition, the proposed building color(s), roofing material, garage door, front property line fence and balcony rail shall be appreciably distinguished from that of the dwelling proposed at 220 Lincoln Avenue.
  - b. The applicant shall relocate any utility poles that are in conflict with the proposed driveway.

**INDEMNIFICATION AND HOLD HARMLESS CONDITION:**

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, Zoning Administrator, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.

**HUNTINGTON BEACH  
OFFICE OF THE ZONING ADMINISTRATOR  
EXECUTIVE SUMMARY**

**TO:** Zoning Administrator  
**FROM:** Paul Da Veiga, Associate Planner  
**DATE:** June 28, 2006

**SUBJECT:** **CONDITIONAL USE PERMIT NO. 2006-008 (FLISTER WOOD FENCE)**

**LOCATION:** 2623 England Street (terminus of England Street, north of Yorktown Avenue)

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**Applicant:** Mike Flister, 2623 England Street, Huntington Beach, CA 92648

**Property Owner:** Patricia Cuthbert, 2623 England Street, Huntington Beach, CA 92648

**Request:** To permit a 6 ft. high wood fence at zero setback in lieu of 15 ft. within the front yard setback.

**Environmental Status:** This request is covered by Categorical Exemption, Section 15301, Class 1, California Environmental Quality Act.

**Zone:**  
RM (Medium Density Residential)  
**Existing Use:**  
Residential

**General Plan:**  
RM (Residential Medium Density)

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**RECOMMENDATION:** Staff recommends approval of the proposed project based upon the following findings:

**SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:**

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15303 of the CEQA Guidelines, because the project consists of construction of a small accessory structure on a previously developed site.

**SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 06-008:**

1. Conditional Use Permit No. 06-008 to permit six-foot tall wood fence with pilasters at a five-foot setback within the front yard setback, in lieu of a maximum height of 42-inches within the required 15-foot front yard setback, will not be detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of the property and

improvements in the neighborhood. Based upon the conditions imposed, the proposed fence will maintain a five-foot minimum landscape setback from the front property line in order to improve the view from the adjacent street.

2. The conditional use permit will be compatible with surrounding uses since the proposed fence will be constructed of quality, decorative building materials and will incorporate a five-foot wide landscape planter at the base of the fence. The conditional use permit, as conditioned, is consistent with numerous previously approved entitlements for fencing within the required front yard setback in the residential zoning districts.
3. The proposed conditional use permit will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance. The HBZSO permits fences exceeding 42-inches in height within the required front setback, with approval of a conditional use permit.
4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of RL-7 (Residential Low-Density – 7 units per acre) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:
  - a. L.U. 7.1.2: Require that development be designed to account for the unique characteristics of project sites and objectives for community character as appropriate.
  - b. L.U. 9.2.1: Require that all new residential developments within existing residential neighborhoods be compatible with existing structures, including the maintenance of the predominant or median existing front yard setbacks.

The proposed wall/fence will meet the City's objectives for community character by incorporating quality design and materials and by maintaining a landscaped setback with a minimum dimension of five feet between the proposed fence and the public sidewalk.

**SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 2006-008:**

1. The site plan, floor plans, and elevations received and dated February 22, 2006 shall be the conceptually approved design with the following modifications:
  - a. The plans shall be modified to provide a five foot wide landscaped setback between the fence and front property line.
  - b. The site plan shall incorporate a planting legend that indicates the type of landscaping that is proposed with the five-foot setback. The proposed landscaping shall be reviewed and approved by the Planning Department.
2. The applicant shall apply for a building permit for construction of the fence/wall within 30 days of issuance of the conditional use permit.

**INDEMNIFICATION AND HOLD HARMLESS CONDITION:**

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof

**HUNTINGTON BEACH  
OFFICE OF THE ZONING ADMINISTRATOR  
EXECUTIVE SUMMARY**

**TO:** Zoning Administrator  
**FROM:** Paul Da Veiga, Associate Planner  
**DATE:** June 28, 2006

**SUBJECT:** **CONDITIONAL USE PERMIT NO. 2005-023 (SIMON WOOD FENCE)**

**LOCATION:** 2624 England Street (terminus of England Street, north of Yorktown Avenue)

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**Applicant:** Chad Geibe, 2624 England Street, Huntington Beach, CA 92648

**Property Owner:** Margaret Simon, 2624 England Street, Huntington Beach, CA 92648

**Request:** To permit a 6 ft. high wood fence at zero setback in lieu of 15 ft. within the front yard setback.

**Environmental Status:** This request is covered by Categorical Exemption, Section 15301, Class 1, California Environmental Quality Act.

**Zone:**  
RM (Medium Density Residential)  
**Existing Use:**  
Residential

**General Plan:**  
RM (Residential Medium Density)

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**RECOMMENDATION:** Staff recommends approval of the proposed project based upon the following findings:

**SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:**

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15303 of the CEQA Guidelines, because the project consists of construction of a small accessory structure on a previously developed site.

### **SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 2005-023:**

1. Conditional Use Permit No. 2005-023 to permit six-foot tall wood fence with pilasters at a five-foot setback within the front yard setback, in lieu of a maximum height of 42-inches within the required 15-foot front yard setback, will not be detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood. Based upon the conditions imposed, the proposed fence will maintain a five-foot minimum setback from the front property line in order to improve the view from the adjacent street by providing landscaping within the five-foot setback.
2. The conditional use permit will be compatible with surrounding uses since the proposed fence will be constructed of quality, decorative building materials and will incorporate a five-foot wide landscape planter at the base of the fence. The conditional use permit, as conditioned, is consistent with numerous previously approved entitlements for fencing within the required front yard setback in the residential zoning districts.
3. The proposed conditional use permit will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance. The HBZSO permits fences exceeding 42-inches in height within the required front setback, with approval of a conditional use permit.
4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of RL-7 (Residential Low-Density – 7 units per acre) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:
  - a. L.U. 7.1.2: Require that development be designed to account for the unique characteristics of project sites and objectives for community character as appropriate.
  - b. L.U. 9.2.1: Require that all new residential developments within existing residential neighborhoods be compatible with existing structures, including the maintenance of the predominant or median existing front yard setbacks.

The proposed wall/fence will meet the City's objectives for community character by incorporating quality design and materials and by maintaining a landscaped setback with a minimum dimension of five feet between the proposed fence and the public sidewalk.

### **SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 2005-023:**

1. The site plan, floor plans, and elevations received and dated August 1, 2005 shall be the conceptually approved design with the following modifications:
  - a. The plans shall be modified to provide a five-foot wide landscaped setback between the fence and front property line.
  - b. The site plan shall incorporate a planting legend that indicates the type of landscaping that is proposed with the five-foot setback. The proposed landscaping shall be reviewed and approved by the Planning Department.

2. The applicant shall apply for a building permit for construction of the fence/wall within 30 days of issuance of the conditional use permit.

**INDEMNIFICATION AND HOLD HARMLESS CONDITION:**

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, Zoning Administrator, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.

**HUNTINGTON BEACH  
OFFICE OF THE ZONING ADMINISTRATOR  
EXECUTIVE SUMMARY**

**TO:** Zoning Administrator  
**FROM:** Paul Da Veiga, Associate Planner  
**DATE:** June 28, 2006

**SUBJECT:** **TENTATIVE PARCEL MAP NO. 2006-125 (TRAN SUBDIVISION)**

**LOCATION:** 310 2<sup>nd</sup> Street (east side of 2<sup>nd</sup> Street, north of Olive Avenue)

**Applicant/  
Property**

**Owner:** Dai Quang Tran, 2300 E Artesia Boulevard, Long Beach, CA 90805

**Request:** To permit the consolidation of three parcels into two lots with each measuring 27 ft. in width and approximately 3,105 sq. ft. in area.

**Environmental Status:** This request is covered by Categorical Exemption, Section 15315, Class 15, California Environmental Quality Act.

**Zone:**  
SP-5-CZ (Downtown Specific Plan –  
Coastal Zone)

**General Plan:**  
MH-F4/30-sp-pd (Mixed Use Horizontal)

**Existing Use:**  
Residential

**RECOMMENDATION:** Staff recommends approval of the proposed project based upon the following findings:

**SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:**

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15315 of the CEQA Guidelines, because the project consists of the division of property in an urbanized area zoned for residential use into four or fewer parcels, in conformance with the General Plan and zoning, with no variances or exceptions required; and with all services and access to the proposed parcels available.



### **SUGGESTED FINDINGS FOR APPROVAL - TENTATIVE PARCEL MAP NO. 2006-125:**

1. Tentative Parcel Map No. 2006-125 to permit the consolidation of three parcels into two lots, each measuring 27 ft. in width and approximately 3,105 sq. ft. in area, is consistent with the General Plan Land Use Element designation of Residential Medium-High Density on the subject property. The proposed subdivision complies with all applicable provisions of the Subdivision Map Act and the HBZSO and is consistent with previous subdivisions in the surrounding neighborhood. The project includes demolition of the existing residential structures and will provide for the future development of two new single-family dwellings, in accordance with applicable land use, density and development standards.
2. The site is physically suitable for the type and density of development allowed by the corresponding zoning designation. The proposed lot consolidation will comply with all applicable code provision of the Downtown Specific Plan (SP-5) including the minimum parcel size of 2,500 sq. ft. and minimum lot width of 25 feet, as required in District 4. The proposed lots are level, rectangular and present no significant constraints to development. The site is accessible from an existing public street and all necessary public utilities and services are available.
3. The design of the subdivision or the proposed improvements will not cause serious health problems or substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The subdivision is proposed for a property previously developed for residential use. The site does not serve as habitat for fish or wildlife.
4. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision unless alternative easements, for access or for use, will be provided. No easements acquired by the public at large for access through or use of the property exist within the proposed subdivision.

### **SUGGESTED CONDITIONS OF APPROVAL – TENTATIVE PARCEL MAP NO. 2006-125:**

Tentative Parcel Map No. 2006-125 to permit the consolidation of three parcels into two lots, each measuring 27 ft. in width and approximately 3,105 sq. ft. in area and received and dated February 3, 2006, shall be the approved layout.

### **INDEMNIFICATION AND HOLD HARMLESS CONDITION:**

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.

**HUNTINGTON BEACH  
OFFICE OF THE ZONING ADMINISTRATOR  
EXECUTIVE SUMMARY**

**TO:** Zoning Administrator  
**FROM:** Ron Santos, Associate Planner  
**DATE:** June 28, 2006

**SUBJECT:** **COASTAL DEVELOPMENT PERMIT NO. 2006-009 / VARIANCE  
NO. 2006-006 / SPECIAL PERMIT NO. 2006-001 (CAMPBELL/REED  
RESIDENCE)**

**LOCATION:** 111 Seventh Street (north side of 7th Street, between Pacific Coast Highway  
and Walnut Avenue)

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**Applicant:** Robert Reed, 7573 Slater Avenue, Unit J, Huntington Beach, CA 92647

**Property Owner:** Melvin Heckman, 303 Alabama Street, Huntington Beach, CA 92648

**Request:** **CDP:** To permit construction of a 2,349 sq. ft., three-story single-family dwelling with a 419 sq. ft. attached garage; **VAR:** to permit a 22.5-ft. lot width after required dedication for alley widening, in lieu of the required 25-ft. minimum width; **SP:** to permit a zero side yard setback, in lieu of three ft., for an attached garage. This request includes a review and analysis for compliance with the Infill Lot Ordinance. The Infill Lot Ordinance encourages adjacent property owners to review proposed development for compatibility/privacy issues, such as window alignments, building pad height, and floor plan layout.

**Environmental Status:** This request is covered by Categorical Exemption, Section 15303, Class 3, California Environmental Quality Act.

**Zone:**  
SP5-2-CZ (Downtown Specific Plan –  
District 2 – Coastal Zone)

**General Plan:**  
RH-30-d-sp (Residential High Density -  
30 units/acre max. – design overlay – specific  
plan)

**Existing Use:**  
Multi-Family Residential

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**RECOMMENDATION:** Staff recommends approval of the proposed project based upon the following findings:

### **SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:**

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15303 of the CEQA Guidelines, because the project consists of construction of one single-family residence in a residential zone.

### **SUGGESTED FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 2006-009:**

1. Coastal Development Permit No. 2006-009 to permit construction of a 2,349 sq. ft., three-story single-family dwelling with a 419 sq. ft. attached garage as proposed conforms with the General Plan, including the Local Coastal Program land use designation of RH-30-d-sp (Residential High-Density – 30 units/acre – design overlay – specific plan). The project is consistent with Coastal Element Land Use Policy C 1.1.1 to encourage development within, contiguous to or in close proximity to existing developed areas able to accommodate it. The proposed single-family dwelling will occur on a site designated for residential use and surrounded by existing development.
2. The project is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code, with the exception of development standards addressed by the requested variance and special permit. The project consists of construction of a single-family dwelling – a permitted use in District 2 of the Downtown Specific Plan. In addition, the project complies with the applicable on-site parking requirements, height limits, maximum lot coverage and floor area ratio and other applicable development standards.
3. At the time of occupancy the proposed development can be provided with infrastructure in a manner that is consistent with the Local Coastal Program. The proposed project will be constructed on a previously developed lot in an urbanized area with direct access from an existing public street and with all necessary services and infrastructure available including water, sewer and electricity.
4. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The project will not impede public access to coastal resources. Dedications for street and alley widening, which will improve public access to coastal resources, are requirements of this project. In addition, the project is subject to payment of required park fees; to be used for acquiring and maintaining public park land for recreational use.

### **SUGGESTED FINDINGS FOR APPROVAL - VARIANCE NO. 2006-006:**

1. The granting of Variance No. 2006-006 to permit a 22.5-ft. lot width after required dedication for alley widening, in lieu of the required 25-ft. minimum width will not constitute a grant of special privilege inconsistent with limitations upon other properties in the vicinity and under an identical zone classification. The requested variance will provide for construction of one single-family dwelling on a 2,531 square-foot lot (after required dedications for street and alley widening). The proposed development is consistent with the development density standard applicable to the subject property (one dwelling unit per 2,500 square-feet of lot area). Moreover, the subject property, which complies with the minimum lot width standard before required dedication for public alley widening purposes, is made substandard in width

only as a result of the required dedication, which in turn is a consequence of its somewhat unique location adjacent to an alley on two sides.

2. Because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance is found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification. The subject property is subject to required dedications for street and alley widening on three sides. The effect of the required dedication is to reduce the width of the subject lot to less than the required minimum. Strict application of the zoning ordinance would render the subject property undevelopable after required dedications; thus depriving the subject property of development rights enjoyed by other properties in the vicinity of identical size and configuration.
3. The granting of a variance is necessary to preserve the enjoyment of one or more substantial property rights. Based on the applicable zoning and General Plan designation, and the existing lot size and dimensions, the subject property is afforded the right to construct one single-family dwelling. The exercise of this substantial property right (development of the subject property for single-family residential use) is contingent upon dedication for public alley widening purposes, which in turn renders the lot width substandard. Consequently, the requested variance to allow a substandard lot width is necessary in order to preserve development rights afforded by the corresponding residential land use designation.
4. The granting of the variance will not be materially detrimental to the public welfare or injurious to property in the same zone classification. The requested variance will not result in any intensification of development or impacts beyond that which is permitted under the corresponding land use regulations and development standards based on the existing (pre-dedication) lot size and width.
5. The granting of the variance will not adversely affect the General Plan. It is consistent with the Land Use Element designation of RH-30-d-sp (Residential High Density – 30 units/acre – design overlay – specific plan) on the subject property. In addition, the proposed project is consistent with the following General Plan policy:

LU 9.1 Accommodate the development of single- and multi-family residential units in areas designated by the Land Use Plan Map, as stipulated by the Land Use and Density Schedules.

**SUGGESTED FINDINGS FOR APPROVAL – SPECIAL PERMIT NO. 2006-001:**

1. The granting of Special Permit No. 2006-001 (pursuant to Section 4.1.02 of the DTSP) in conjunction with Coastal Development Permit No. 06-09/ Variance No. 06-06 is for the following:
  - a. To permit a zero side yard setback, in lieu of three ft., for an attached garage.

The special permit results in a greater benefit from the project and will promote a better living environment because the variance will allow for construction of a garage providing the minimum parking stall dimensions to meet the requirements for construction of a single-family dwelling.

2. The granting of the special permit will provide better land planning techniques with maximum use of aesthetically pleasing types of architecture, landscaping, site layout and design. The special permit will allow for construction of single-family dwelling otherwise (excepting the requested variance) designed in accordance with the applicable zoning and General Plan regulations, on a site currently used for oil production, but zoned for residential use. The special permit addresses unique requirements for dedication for street and alley widening on three sides of the subject lot.
3. The granting of the special permit will not be detrimental to the general health, welfare, safety, and convenience of the neighborhood or City in general, nor detrimental or injurious to the value of property or improvements of the neighborhood or of the City in general. The special permit will allow for construction of a garage at zero side yard setback at the rear of the property; adjacent to an undeveloped adjoining property. Consequently, no impacts to privacy will result. Moreover, the proposed garage will provide the required minimum vision clearance for vehicular safety at the intersection of alleys along the side and rear property lines and at the intersection of the driveway to the garage and the alley.
4. The granting of the special permit will be consistent with objectives of the Downtown Specific Plan in achieving a development adapted to the terrain and compatible with the surrounding environment. The granting of the special permit will allow for development of a single-family dwelling and garage, comparable in size to dwellings existing in the neighborhood, but adapted to the substandard lot width. Moreover, the special permit will allow for development of a single-family dwelling while achieving the objectives of street and alley widening to improve access and circulation in the Downtown district.
5. The granting of the special permit will be consistent with the policies of the Coastal Element of the City's General Plan and the California Coastal Act. They also comply with State and Federal Law.

**SUGGESTED CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT  
NO. 2006-009 / VARIANCE NO. 2006-006 / SPECIAL PERMIT NO. 2006-001:**

1. The site plan, floor plans, and elevations received and dated May 12, 2006 shall be the conceptually approved design.
2. Prior to issuance of building permits a maintenance easement agreement, approved as to form by the City Attorney, shall be recorded between the subject property owner and the owner of the adjacent lot to which access is required, which provides for maintenance and repair of the zero setback structure. Said easement shall be an irrevocable covenant running with the land, binding to all future property owners.

**INDEMNIFICATION AND HOLD HARMLESS CONDITION:**

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.